IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 828 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE D.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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JAYANTILAL H TRIVEDI

Versus

MOHAMMED YUSUF GULAM

Appearance:

1. Civil Revision Application No. 828 of 1999

MR UNMESH D SHUKLA for Petitioner No. 1

MR SUREN M SHAH for Respondent No. 1

CORAM : MR.JUSTICE D.K.TRIVEDI

Date of decision: 29/04/2002

ORAL JUDGEMENT

Heard Mr.Shukla for the petitioner - plaintiff. During hearing he took me through the order passed by the learned trial Judge. As found, the appellate court has while deciding the Revision Application No.50/98 filed by the respondent - original defendant directed the trial

court to dispose of the suit by giving priority as per order dated 8.3.99. Without examining the contentions raised before me and in view of the fact that though direction was given by the appellate court, there is no progress of the suit which is pending before the Small Causes Court, Ahmedabad, accordingly, the learned Judge of the Small Causes Court, Ahmedabad is directed to take on hand H.R.P.Suit No.280/95 pending before him and dispose of the same in accordance with law by 31.3.2003, without being influenced by the order passed by the appellate court in respect of the liability to pay the municipal tax.

In view of the direction given above, Mr. Shukla has not pressed this Revision Application. The same stands disposed of accordingly. Rule discharged. Interim relief, if any, stands vacated. No order as to costs.

Dt:29.4.2002 (D.K.Trivedi,J)

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